



# **TOWN OF NEW WINDSOR**

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## **PLANNING BOARD AGENDA**

WEDNESDAY -- OCTOBER 24, 2007 - 7:30 PM

CALL TO ORDER

ROLL CALL

### **PUBLIC HEARINGS:**

1. **BLUE RHINO/ FERRELL GAS SITE PLAN (07-24) RUSCITTI ROAD (RAAB)**  
Proposed propane gas distribution
2. **BEAVER DAM LAKE WATER CORP. (07-04) BEAVER DAM LAKE (ROTH)**  
Proposed new well and replace storage tank in private water company

### **REGULAR ITEMS:**

3. **BEATTIE R. ASSOC. LLC - LOT LINE CHANGE (MULLIGAN PROPERTY)**  
(07-12) **BEATTIE ROAD** Proposed residential Lot Line Change
4. **MICHAEL LUCAS SUBDIVISION (07-11) NYS RT. 94 (LUCAS)**  
Proposed 2-lot residential subdivision.
5. **SILVER STREAM ROAD CORPORATE PARK (07-29) SQUARE HILL ROAD (MASER)** Proposed 100,000 s.f. manufacturing/office use within a single building with amenities.

### **DISCUSSION**

6. **B-CLEAN LAUNDRY - 231 WALSH AVE. -** Proposed serving snacks & drinks for customers.
7. **KNOX VILLAGE SENIOR PROJECT - RECOMMENDATION**

### **ADJOURNMENT**

(NEXT MEETING - NOVEMBER 14, 2007)

October 24, 2007

1

TOWN OF NEW WINDSOR

PLANNING BOARD

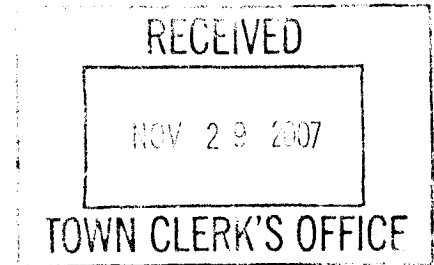
OCTOBER 24, 2007

MEMBERS PRESENT: JERRY ARGENIO, CHAIRMAN  
HENRY VAN LEEUWEN  
HOWARD BROWN  
DANIEL GALLAGHER  
HENRY SCHEIBLE

ALSO PRESENT: MARK EDSALL, P.E.  
PLANNING BOARD ENGINEER

MYRA MASON  
PLANNING BOARD SECRETARY

DOMINIC CORDISCO, ESQ.  
PLANNING BOARD ATTORNEY



ABSENT: NEIL SCHLESINGER

MICHAEL BABCOCK  
BUILDING INSPECTOR

REGULAR MEETING

MR. ARGENIO: I'd like to call to order the October 24, 2007 meeting of the New Windsor Planning Board. Please stand for the Pledge of Allegiance.

(Whereupon, the Pledge of Allegiance was recited.)

October 24, 2007

2

MR. ARGENIO: I'd like to welcome everybody. With us tonight is Dominic Cordisco, Mark Edsall's here, Franny's here. Mike Babcock will not be joining us tonight, he is ill and still feeling the effects of his recent surgery. I have asked Mr. Scheible to come up as Mr. Schlesinger has an issue with he told me it's either his mother-in-law or his mom, I'm not sure which and he's in Florida attending to that.

PUBLIC\_HEARINGS:

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BLUE\_RHINO/FERRELL\_GAS\_SITE\_PLAN\_(07-24)

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MR. ARGENIO: First on tonight's agenda is a public hearing. Please come up, give us your name and affiliation.

MR. RAAB: My name is Jim Raab with the Vincent J. Doce Associates and I'm here to represent Ferrell Gas.

MR. ARGENIO: Briefly, briefly, I'd like to hear what you want to do. We've seen this at least twice, I think maybe three times so give us a very brief synopsis of what you're doing there for the benefit of the public and then we'll open it up to the public and we'll receive comments. Go.

MR. RAAB: This is a site that was formally New England Motor Freight Terminal. Ferrell Gas would like to use this as a distribution center, not for refilling tanks but for the storage of barbecue cylinder tanks. They would like to store approximately 12,000 small tanks here on a regular basis with the ability to maybe increase that to maybe 16,000 over a period of a year. If they like the site, they'll probably be buying it pretty soon. But that's basically it. We have cleared the fire inspector's requirements. For the signage, there will be 20 signs posted around the site, propane, no smoking, no trespassing as required by the fire inspector. And the entire storage area will be barricaded off with Jersey barriers.

MR. ARGENIO: On the tenth day of October, 2007, three addressed envelopes went out containing the notice of public hearing for this application. If there's anybody in the audience that would like to speak for or against or just comment on this application, I'd like you to raise your hand, be recognized by the chairman, give Franny your name and your address and you'll be

afforded an opportunity to speak. Is there anybody that would like to speak? I'll accept a motion we close the public hearing.

MR. VAN LEEUWEN: So moved.

MR. GALLAGHER: Second it.

MR. ARGENIO: Motion has been made and seconded that the Town of New Windsor Planning Board close the public hearing on Blue Rhino/Ferrell Gas site plan on Ruscitti Road. We've seen this, we've discussed it at length. I personally was not in favor of the public hearing because of the area it was in but the other members disagreed with me and that's okay, that's the essence of government and having a board here. We do have some housekeeping here if somebody feels appropriate, I'll accept a motion for negative dec under the SEQRA.

MR. VAN LEEUWEN: So moved.

MR. BROWN: Second it.

MR. ARGENIO: Motion has been made and seconded that the Town of New Windsor Planning Board declare negative dec under the SEQRA process for Blue Rhino/Ferrell Gas site plan. No further discussion, roll call.

ROLL CALL

MR. SCHEIBLE	AYE
MR. BROWN	AYE
MR. GALLAGHER	AYE
MR. VAN LEEUWEN	AYE
MR. ARGENIO	AYE

MR. ARGENIO: Mark or Dominic, is there anything else here and to the other members is there anything else here? This has received a pretty thorough review. Hank, you were up on the dais at one point in time, do

the other members have anything else? Mark or Dominic?

MR. EDSALL: Just my comment 4 which is the handicapped parking space which needs to be detailed which we talked to Jim about, the building inspector asked for that the bond estimate which is standard provision under the Town Code for the key site improvements and the usual that all fees be paid and I think they have.

MR. ARGENIO: Sir, do you take exception to any of the items?

MR. RAAB: No.

MR. VAN LEEUWEN: So moved.

MR. GALLAGHER: Second it.

MR. ARGENIO: Motion's been made and seconded that the Town of New Windsor Planning Board offer final approval to the Blue Rhino/Ferrell Gas site plan subject to what Mark just read into the minutes which reflects his comment number 4 and the 3 bullets associated with it. If there's no further discussion, roll call.

ROLL CALL

MR. SCHEIBLE	AYE
MR. BROWN	AYE
MR. GALLAGHER	AYE
MR. VAN LEEUWEN	AYE
MR. ARGENIO	AYE

BEAVER\_DAM\_LAKE\_WATER\_CORP.\_ (07-04)

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MR. ARGENIO: Beaver Dam Lake represented by Troy Wojciekosky. This application involves improvements associated with the health department mandated key word mandated for the members upgrades to the water corporation system in the Beaver Dam Lake area of the town. The application was previously reviewed at the 14 February, 2007 planning board meeting. The application is before the board for a public hearing at this meeting. Troy, you know the routine, give us a rundown please for the benefit of the members and the audience and then we might have some questions for you then we'll open it up for the public. But specifically tell us what you've done since the last time you've been here and kind of update us on the project.

MR. WOJCIEKOSSKY: Sure. I have pictures here since our last meeting in February but we have actually done quite a bit of--

MR. ARGENIO: That's a beautiful water tank.

MR. WOJCIEKOSSKY: Isn't that pretty? Okay, to recap, I'm Troy Wojciekosky from Fuss & O'Neil representing Beaver Dam Lake Water, Chris Chale, counsel for the water corporation, Bob Roth and Jim McGuinness and Mr. Watts.

MR. ARGENIO: Mr. Roth, you live in the district?

MR. ROTH: Yes, I do.

MR. WOJCIEKOSSKY: Just a quick rundown, we're before the planning board for site plan approval and SEQRA review. The planning board has been determined lead agent. Since we were here in February, we have prepared a very extensive application to the state for the drinking water state resolving fund to obtain funding for that project. The scope of the project is

as you said mandated by state and county health for upgrades to the water system. The water system was initially installed back in the '30s, some improvements over the years but now it's come time to really get it up to current standards. The system consists of water supply well in this area off Shore Drive, water storage underground concrete and steel tanks in this area and the second water supply well in this area. Flip over to the prettier picture here, which is the blowup of probably the parcel owned by the water corporation with the most action and activity. Basically just to run through the upgrades real quickly, not going to get too technical. The State and County Health Department requested and required that we replace existing storage tanks which date back to the '30s and the '50s.

MR. ARGENIO: Tank is going in the same spot as it used to be?

MR. WOJCIEKOSSKY: Yeah, the same location, same parcel.

MR. ARGENIO: Within a few feet?

MR. WOJCIEKOSSKY: Sure. I'll show you on this once I get through the little narrative here. Increase the capacity for the storage, the underground tanks don't possess sufficient capacity based on current health department standards, improve the system pressure which in some areas don't meet the minimum requirements, develop new supply well, the two wells currently that provide water to the community sometimes are pumping 24 hours a day, so there's no redundancy, no backup supply, additional treatments required, filtration is required, currently the wells are chlorinated for disinfection, filtration is also required by the health department.

MR. ARGENIO: You would have two pumps and one tank, is that correct?



MR. WOJCIEKOSSKY: Correct, one tank. The health departments have also required metering at the homes as well as emergency backup power. We have shown a blowup of the parcel off Maple Avenue and Linden Avenue which, you know, is probably of the most interest to the board with respect to site plan. The existing concrete tank is up in this area here. We're proposing an elevated water storage tank in this location, picture similar to what we have handed out there. Dimensions of the tank are at this point anticipated to be 20 foot diameter tank approximately 26 feet high and the height of the tank is required to provide better pressure to the system. We're providing access with a paved apron off Maple and a gravel drive up to the tank, the treatment building is also proposed at that point. Based on our preliminary design, we show a building of 24 by 50 foot and we have also included a detail of that in the plans submitted to the planning board. The treatment building will be of residential style, likely vinyl sided gable roof and we have tried to show the largest building that we anticipated, hopefully, once we get through the final design of the system that building will show a little bit. We show evergreen screening along the building where we can and also to help compliment some of the existing screening around the tank. Our intention is to really try to preserve as much of the existing vegetation as we can in that area now cause there are some residential homes in the vicinity. I think that's basically the scope of the site improvements up in this area. I should note and it was a concern that the County Health or County, excuse me, County Planning provided was just a discussion of, you know, the impacts related to any lighting, visuals of the tank and any noise. We will require an emergency generator but typically the generator is exercised once a week and for about an hour a week and with the Planning Board's input we can select a time and day that that happens. We have called out that it will have a critical residential

silencer on the generator. We also show this type of site plan, you really don't need lighting per se, so we don't have to light up the area and keep it lit, so what we have shown here is a motion activated wall pack that will go on as needed if there's activity at night.

MR. ARGENIO: Some members of the public have expressed their extreme displeasure with excessive lighting in the west end of the town and I think that's probably good location to handle it in that fashion.

MR. WOJCIEKOSSKY: Yeah, you know, and this again this type of use you really don't need full time lighting, it doesn't need to be lit up so we have proposed the minimum necessary here. As far as the other site improvements which are on the black and white plan at this point we anticipate drilling a third well in this location here and we'd have to run a new water line up to the tank up Maple Avenue. We have also indicated on the site plan--

MR. ARGENIO: I can't see that. Okay.

MR. WOJCIEKOSSKY: We have also shown, you know, a generator in this location, it's anticipated we'll need an emergency backup generator at each well existing and the new well down there.

MR. ARGENIO: Now, this is not going to look like the tank that you designed on the top of Meadow Winds, is it? The Purina Dog Chow tank?

MR. WOJCIEKOSSKY: I'm not sure I understand what you're speaking of.

MR. ARGENIO: You're not sure you understand cause you want to block that out from your memory, that's why. But the white and orange airport one?

MR. WOJCIEKOSSKY: We anticipate that that's not

required, Mr. Chairman.

MR. ARGENIO: That would be a good thing.

MR. WOJCIEKOSKY: Mr. Chairman, matter of fact, we selected at this point an Aqua-store tank which I believe the town has installed in their system and the cobalt blue is quite an attractive color tank.

MR. ARGENIO: I agree as far as tanks go. Does that have a diaphragm?

MR. EDSALL: It's a glass fused with steel in between the panels, it's the style tank we use now.

MR. WOJCIEKOSKY: There are a couple colors, cobalt blue seems to be the preferred.

MR. ARGENIO: I don't, if you have to have a water tank, I don't think what you've showed us is unsightly.

MR. SCHEIBLE: Easy on the eyes.

MR. ARGENIO: I agree, Henry.

MR. SCHEIBLE: What's the capacity of the tank out of curiosity?

MR. WOJCIEKOSKY: About 50,000 gallons and it's required, you have to store one days volume.

MR. SCHEIBLE: That's my next question, what's the average daily usage?

MR. WOJCIEKOSKY: Daily usage calculated is about 43,000 gallons per day, I think actual has been in the high--

MR. ROTH: Thirty-six, 35.

MR. SCHEIBLE: Recoup time with the two wells?

MR. ARGENIO: Re-charge it?

MR. SCHEIBLE: Re-charge it if you ran it dry just for curiosity?

MR. WOJCIEKOSSKY: That's a great question, I don't have the answer off the top of my head.

MR. ARGENIO: Can you make something up?

MR. WOJCIEKOSSKY: I'd prefer not to at a public hearing.

MR. ARGENIO: Is it a day or a week?

MR. WOJCIEKOSSKY: It's more like a week.

MR. ARGENIO: I don't think you're asking for an hourly answer.

MR. ROTH: That's our desire for another source of water.

MR. WOJCIEKOSSKY: We never anticipate that the tank runs dry because the wells are designed to keep up with it.

MR. ARGENIO: It's filled on a rolling basis?

MR. WOJCIEKOSSKY: Correct.

MR. VAN LEEUWEN: Regarding the noise, what kind of a generator is it that you're going to use?

MR. WOJCIEKOSSKY: We haven't sized it, it's going to be a diesel generator and because of the sensitive location of these we spec out a critical residential silencer.

MR. ARGENIO: What does that mean to us, critical residential silencer?

MR. EDSALL: That's exactly the type I asked Troy to make sure was on the plan. Residential silencer is the best silencer you can get that takes the high whining noise and tempers the noise as best as possible.

MR. ARGENIO: We did a culvert quite a few years ago and we had to bypass pump, pump for like two weeks pump the stream around us and the pump ran 24 hours a day seven days a week and it was no louder than your automobile, it was amazing, something like that.

MR. VAN LEEUWEN: Some of them are very noisy.

MR. EDSALL: I just have one question. I wasn't sure if I understood correctly, Troy, you said the generator's going to be at the well location. Is there another one at the tank or aren't you pumping up to the tank and that would just be gravity at that point?

MR. WOJCIEKOSSKY: Yeah, I'm not sure as far as any metering or any treatment equipment.

MR. EDSALL: You might have a smaller one for treatment versus pumps?

MR. WOJCIEKOSSKY: Right.

MR. ARGENIO: Which would have the same type of silencer?

MR. WOJCIEKOSSKY: Yes.

MR. EDSALL: For purposes of the public hearing we're assuming that there's going to be a generator at each location of some size all with the same style silencer.

MR. WOJCIEKOSKY: Yes. Just to clarify, I don't have all the specific answers because we haven't gone through the full design of the system so I'm dancing on my feet just a little bit because our goal was to, is to provide a design which we have accomplished here so that the board can consider SEQRA impacts, environmental impacts because the great news is we heard recently from the state that they have approved the entire loan amount at zero percent interest rate for 30 years which is the best we could have hoped for. The last step or one of the last steps on the checklist is to get a SEQRA determination from the lead agent which is the board so that they can actually begin processing the funding.

MR. ARGENIO: Let's open this up guys, we'll have the chance to review it again and they'll be back after tonight in case you guys don't know. On the 10th day of October, 15 addressed envelopes were sent out by Myra containing notice of public hearing for this application. If there's anybody here that would like to speak for or against or just comment on this application please raise your hand, be recognized by the chair, come forward, I'd like your name and address for the stenographer and you'll be given the opportunity to speak. As there's no hands, I'll accept a motion to close.

MR. VAN LEEUWEN: So moved.

MR. GALLAGHER: Second it.

MR. ARGENIO: Motion has been made and seconded that the Town of New Windsor Planning Board close the public hearing on Beaver Dam Water Corporation System application plan. If there's no further discussion, roll call.

ROLL CALL

MR. SCHEIBLE            AYE  
MR. BROWN               AYE  
MR. GALLAGHER           AYE  
MR. VAN LEEUWEN        AYE  
MR. ARGENIO            AYE

MR. ARGENIO: Okay, Troy, we talked about the silencing of the generators, that was something that I wanted to ask about, we probed that a little bit. Mark, we do have a response from planning but I don't see as you commented on it as of yet.

MR. EDSALL: I just got it tonight but I'm, if acceptable to the board, I'm willing to address it tonight.

MR. ARGENIO: Certainly they'll be back after.

MR. EDSALL: Well, I think for the negative dec we want to make sure that we have considered it and I believe that their concern was is that the board give a close look at the noise and visuals.

MR. ARGENIO: I see that.

MR. EDSALL: And I have to tell you that they have to meet the state health department requirements which means they have to have a generator, they're doing the best they can with noise mitigation, can't ask for anymore.

MR. ARGENIO: They are installing state of the art noise mitigation.

MR. EDSALL: The tank they're proposing is the right tank because the same reason we use it with the type of construction with glass fused to steel you don't have to take it out of service to paint it, they're very durable, it's the right visual results, so I think what the Planning Department asked you to do you just did so

I think you've addressed their comments. You have also heard from New York State Office of Parks, Recreation and Historic Preservation indicating they believe there's no impact.

MR. ARGENIO: I see that here.

MR. EDSALL: I can't tell you that I have any idea what we could come up with to say why you shouldn't consider authorizing the negative dec to be prepared, I think everything's fine.

MR. ARGENIO: What's your next threshold, your next thing that you have to do before you come back here?

MR. WOJCIEKOSSKY: Well, we have to secure the funding and get into the real heavy duty engineering, finalize all the details with respect to pumps and treatment.

MR. ARGENIO: Pay attention to the landscaping up on the hill, while there's nobody here speaking and that's okay, I'm quite sure that if you go up there and put an unsightly tank up with no attention to the details around it landscaping or otherwise, I'm quite sure that Mike is going to get some phone calls. If we avoid that whole thing, you can certainly maybe maintain your pristine reputation with this planning board.

MR. WOJCIEKOSSKY: Thank you, Mr. Chairman.

MR. VAN LEEUWEN: Keep in mind get a generator that's quiet, lot of diesel engines they make today are not quiet.

MR. ARGENIO: Anybody here sees fit, I'll accept a motion that we declare negative dec under the SEQRA process.

MR. VAN LEEUWEN: So moved.



MR. BROWN: Second it.

MR. ARGENIO: Motion has been made and seconded that the Town of New Windsor Planning Board declare a negative dec under SEQRA process for the Beaver Dam Water Corporation. If there's no further discussion, roll call.

ROLL CALL

MR. SCHEIBLE	AYE
MR. BROWN	AYE
MR. GALLAGHER	AYE
MR. VAN LEEUWEN	AYE
MR. ARGENIO	AYE

MR. ARGENIO: Dominic?

MR. CORDISCO: Mr. Chairman, just for clarification sake, that's a negative declaration that I would prepare?

MR. ARGENIO: That you will prepare, you're authorized to prepare and I'm authorized to sign it.

MR. CORDISCO: That's right.

MR. ARGENIO: I don't think there's anything else here, Troy, that we can do tonight. Good luck to you.

MR. EDSALL: Mr. Chairman, just one thing that we were just talking about for timing, if it was a subdivision they'd have a requirement to come back every six months for preliminary extension, there's no such requirement for site plan so just keep us advised but don't feel as if there's a requirement so just come back when you're ready.

MR. WOJCIEKOSSKY: Okay, thank you very much.

REGULAR\_ITEMS:

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BEATTIE\_R.\_ASSOCIATES\_LLC\_-\_LOT\_LINE\_CHANGE\_(07-12)

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MR. ARGENIO: Beattie R. Associates lot line change. The application proposes lot line revision of both sides of Beattie Road. Application was previously reviewed at the 25 April, 2007 planning board meeting. Sir, can I please have your name and address for the stenographer?

MR. WINTER: Keith Winter from Pietrzak and Pfau.

MR. ARGENIO: Tell us what you're doing here. I think I remember this application.

MR. WINTER: Currently proposing lot line change between two existing lots that currently expand across Beattie Road. What we're basically doing is a land swap between the two parcels so that 55-1-34 will then contain the entire property on the northwestern side of Beattie Road.

MR. ARGENIO: Do me a favor, twist it towards us for the benefit, I know what's going on there, for the benefit of the other members, show us the lots you're combining for Henry and Danny and Howard, please.

MR. WINTER: As it sits right now, 55-1-34 contains this whole site to this point and then runs across Beattie Road. The other parcel 55-1-33.222 then contains this piece here and continues across Beattie Road. What we're proposing is to basically take this whole section and take this whole section, donate it to 55-1-34 and basically give these section of land to the 33.222.

MR. ARGENIO: It's lawful to have that line extend that road?

MR. EDSALL: As a matter of fact, New Windsor code is one of the few codes that says if that's what it is the road doesn't create the subdivision, it is what it is.

MR. ARGENIO: If I remember correctly, this is a mess that we inherited kind of we're cleaning this up or am I confusing this?

MR. EDSALL: You're correct, yes.

MR. ARGENIO: It's a very straightforward application, certainly if you guys have any questions on it.

MR. VAN LEEUWEN: This was done many years ago.

MR. ARGENIO: Pretty simple package here.

MR. VAN LEEUWEN: They split it up for the kids when Ray Mulligan split it up for his kids that's when it was done years and years ago.

MR. ARGENIO: I'll accept a motion we take lead agency if somebody sees fit.

MR. VAN LEEUWEN: So moved.

MR. SCHEIBLE: Second it.

MR. ARGENIO: Motion has been made and seconded that the Town of New Windsor Planning Board declare itself lead agency for the Beattie R. Associates lot line change. I'll have a roll call.

ROLL CALL

MR. SCHEIBLE	AYE
MR. BROWN	AYE
MR. GALLAGHER	AYE
MR. VAN LEEUWEN	AYE
MR. ARGENIO	AYE

MR. ARGENIO: If somebody sees fit, I will accept a motion we declare negative dec.

MR. VAN LEEUWEN: So moved.

MR. BROWN: Second it.

MR. ARGENIO: Motion has been made and seconded that the Town of New Windsor Planning Board declare negative dec for the Beattie R. lot line change on Beattie Road.

ROLL CALL

MR. SCHEIBLE	AYE
MR. BROWN	AYE
MR. GALLAGHER	AYE
MR. VAN LEEUWEN	AYE
MR. ARGENIO	AYE

MR. ARGENIO: Can somebody please offer me some commentary on number 6? I certainly know how I feel about it but I'll go around the room and, you know what, I'll go backwards this time, I usually go forwards, actually, I'm going to go forwards, we'll put Henry Scheible on the spot.

MR. SCHEIBLE: I'd like to see any improvement in Beattie Road.

MR. ARGENIO: How about that?

MR. SCHEIBLE: I see no reason why we should have a public hearing.

MR. BROWN: I don't think so.

MR. GALLAGHER: Absolutely not.

MR. VAN LEEUWEN: Well, since I live there I think we should have a public hearing.

MR. ARGENIO: I'll accept a motion we waive the same.

MR. GALLAGHER: So moved.

MR. BROWN: Second it.

MR. ARGENIO: Motion has been made and seconded that the Town of New Windsor Planning Board waive the public hearing for this application. If there's no further discussion, roll call.

ROLL CALL

MR. SCHEIBLE            AYE

MR. BROWN              AYE

MR. GALLAGHER          AYE

MR. VAN LEEUWEN        AYE

MR. ARGENIO            AYE

MR. ARGENIO: Dominic, am I missing anything here? Mark, any procedural issues? Pretty clean package here as far as I can see.

MR. CORDISCO: No referral needed to the County Planning Department.

MR. ARGENIO: No AG issues because of where they are?

MR. EDSALL: It's just a lot line. My only comments--

MR. VAN LEEUWEN: It is in an AG district.

MR. EDSALL: My only comments were that there seems to be either incomplete table for the soils testing or maybe I'm just misunderstanding that we make sure that's complete and secondly that the deeds reconfiguring have been submitted for checking by the town when they're being filed. The previous, one of the previous formats created the let's call it the

southeast side of Beattie Road the portion that's 55-1-34 the only area with frontage was that strip and that would have created the need for a road or a variance. They have since combined the bulk of the property all into one saddle bag type lot that eliminated that problem with the private road.

MR. ARGENIO: Somebody want to take this over the wire? I'll read the subject-tos if they see fit.

MR. VAN LEEUWEN: I so move for final.

MR. GALLAGHER: Second it.

MR. ARGENIO: Motion has been made and seconded that the Town of New Windsor Planning Board offer final approval to Beattie R. Associates lot line change subject to the corrected plans for the soils testing data. Are you with me, sir?

MR. WINTER: Yes.

MR. ARGENIO: Subject to the corrected plan for the soils testing data be submitted for final review by Mark's office, the new deeds for the reconfigured lots be submitted to the attorney and for the planning board engineer and the planning board review filing, that all fees be paid. You have a copy of these comments? Would you take a copy of them please?

MR. WINTER: Yes, I will.

MR. ARGENIO: If there's no further discussion, I'll have a roll call.

ROLL CALL

MR. SCHEIBLE	AYE
MR. BROWN	AYE
MR. GALLAGHER	AYE

October 24, 2007

22

MR. VAN LEEUWEN	AYE
MR. ARGENIO	AYE

MICHAEL\_LUCAS\_SUBDIVISION\_(07-11)

MR. ARGENIO: Lucas subdivision. Next application proposes minor subdivision of 1.4 acre parcel into two single family residential lots. Application was previously reviewed at the 28 2007 March planning board meeting. Mike Lucas. Mike, I understand you had some wrinkles here on this, started out pretty clean and straightforward then there's some issues and now it's back to being a clean application. Briefly can you bring the board up to speed, I'm aware of it but they need to be aware of it, tell them what the deal is, what you have done.

MR. LUCAS: Well, we got the approval for the subdivision the last time. I was going to change the entrance of the roadway.

MR. ARGENIO: You had approval for the subdivision?

MR. LUCAS: I believe so.

MR. EDSALL: No, they went to the ZBA.

MR. ARGENIO: You went to the Zoning Board with a positive recommendation.

MR. LUCAS: Correct.

MR. ARGENIO: Go ahead.

MR. LUCAS: Referred back here. In the meantime, when I did that, I went to Dan Yanosh to change the entrance to the driveway which when I did that Mark found out that it really, the setbacks and the variances that I did were approved for it changed it again so Mark asked if we can go back and to the original entrance of the road where we had said first that we would do and I agreed with that.



MR. ARGENIO: Do you guys follow that? What happened is he came, he needed ZBA approval cause he needed a variance, so we looked at it, we reviewed it and I think you were here.

MR. SCHEIBLE: Yes, I was here.

MR. ARGENIO: And we gave a positive recommendation to the ZBA. Well, he went back to the ZBA and he said well, I'm going to take that driveway and put it up on the upper road, whatever it is, Lucas Drive or whatever, and do we have the wrong plans? We have the wrong plans. Why do I have the wrong plans in front of me?

MS. MASON: You don't.

MR. ARGENIO: That's the wrong drawing.

MR. EDSALL: It's the drawing that was submitted for tonight that because of the way it was reconfigured created my comments and said no, you've got to go back to the way you originally came to the planning board, so they haven't fixed it yet because they can't submit it the night before the meeting so--

MS. MASON: They have to revise the plan from the comments.

MR. VAN LEEUWEN: Well, I was going to say let's throw it in the shredder.

MR. LUCAS: I'm in no rush.

MR. ARGENIO: So here's the deal guys, the original--

MR. LUCAS: I've got the building half up anyways. I'm kidding.

MR. VAN LEEUWEN: That's why I'm going to vote it down.

MR. LUCAS: No, it's not.

MR. ARGENIO: Here's the deal, the driveway originally was shown down on the bottom of Lucas Drive. He went to zoning, pulled the driveway up to the top of Lucas Drive, it's problematic for a litany of reasons engineering or otherwise that I'm not going to get into.

MR. GALLAGHER: Where was it originally?

MR. ARGENIO: Down at the bottom.

MR. EDSALL: You want the old plan?

MR. ARGENIO: Draw it on the plan. Do you have a pen with you? Take this red pen please and draw where it's supposed to be, where it's going to be shown next time you come back to the planning board again.

MR. LUCAS: Originally it was here, this is Route 94, Quassaick Avenue, this is my house here, Lucas Drive goes up around like this. Originally we had brought the driveway in through here and had the garage underneath the house. My wife and I looked at it, we thought that it would be better if we did it up here because of the lights, it's not a problem, I mean, it's not whatever I think the problem is the septic was the biggest problem.

MR. EDSALL: I'm just showing them the old plan since I had it with me.

MR. ARGENIO: So you need to re-do the plans to show what you're actually going to do.

MR. LUCAS: Well, the old plans show it.

MR. ARGENIO: You have to come here with them, you know

the deal, you were on this board for quite some time. Mike, let me ask you another question and I'm going to ask you this because you're an ex-planning board member and I certainly know and understand that you take things seriously especially on this level. When you had the public hearing for zoning, did anybody show up?

MR. LUCAS: Not one person, two people in favor, the reason why is we had a lot of robberies in the neighborhood, this is all wooded.

MR. ARGENIO: They don't want the woods.

MR. LUCAS: I got robbed and they went there, the back of mine.

MR. ARGENIO: Mr. Babcock was supposed to be here and he's not, as I mentioned because of health issues, we can verify that with him, Mark, but I certainly don't think Mike would come here and tell us something that was untrue. So your statement is that two people showed up and they showed up both in favor of the property?

MR. LUCAS: Correct.

MR. ARGENIO: I'm going to put this out there, I'm going to ask you guys about comment number 2 relative to the public hearing and I'll go the other way around the room, Danny, how do you feel about that?

MR. GALLAGHER: I don't think we need one.

MR. VAN LEEUWEN: I'd like to do it to him but I guess we won't.

MR. ARGENIO: Mr. Scheible, how do you feel about that?

MR. SCHEIBLE: Not necessary.

MR. BROWN: I don't think so.

MR. ARGENIO: I'll accept a motion we waive.

MR. VAN LEEUWEN: So moved.

MR. BROWN: Second it.

MR. ARGENIO: Motion has been made and seconded that the Town of New Windsor Planning Board waive the public hearing for Lucas minor subdivision. If there's no further discussion, roll call.

ROLL CALL

MR. SCHEIBLE	AYE
MR. BROWN	AYE
MR. GALLAGHER	AYE
MR. VAN LEEUWEN	AYE
MR. ARGENIO	AYE

MR. ARBENIO: Mike, this needs, Mike Lucas, this needs Orange County Planning so we cannot act on this tonight, we have the other issue which I didn't expect tonight which prevents us from acting on it anyway so if you would actually make, let your item number 3 go for SEQRA under the negative dec till the next meeting when we do have the right plan, I'd be more comfortable doing that, if there's any reason unless there's any reason we can't do that.

MR. EDSALL: I think there's no rush and it would give you the opportunity to have County Planning.

MR. ARGENIO: I want to do it next time because I want to have the planning comments here and I want to have the appropriate plan that you're going to use before we start talking about negative decs. And you did receive a favorable nod from zoning.

October 24, 2007

28

MR. LUCAS: Oh, yeah, there was, it was all in favor.

MR. ARGENIO: Thank you for coming in. We'll see you another time. It's always good to see you.

SILVER\_STREAM\_ROAD\_CORPORATE\_PARK\_(07-29)

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MR. ARGENIO: Silver Stream Road Corporate Park site plan. This is on a Silver Stream Road which for those who are not familiar if you head out towards Schlesinger's Deli, go underneath the Thruway and Silver Stream is on the right top of the hill way in the back. The application proposes development of 100,000 square foot manufacturing use on this 15 1/2 acre facility. The plan was reviewed on concept basis only. Gentlemen, could you give your name for the benefit of the stenographer and the other members?

MR. DETULO: Yes, I'm Mike DeTulo, Executive Vice President of Hillside Company.

MR. FETHERSTON: Andrew Fetherston, Maser Consulting.

MR. GREELY: Phillip Greely, John Collins Engineers, traffic consultants.

MR. DETULO: Also with us is Mike Perez, the President of Hillside Companies and Ray Moya, who is the COO of the company who wishes to locate at this company.

MR. ARGENIO: This is the first meeting, we'll certainly see this a few times and I have met with them, with the Supervisor and with conceptual discussions, Danny, about some of the things that concern the town in this area of the town and they're addressing them and certainly there's planning board issues, that's where we're headed tonight.

MR. DETULO: Thank you, of course for your input and also our conversations with Mark certainly helped us and encouraged us to be proactive as it relates to the mitigation. Again, it's 100,000 square foot facility, it will be a high tech advanced manufacturing facility with office space, approximately 50 employees, 20 to 24 trucks per hour going in and out of the facility.

MR. ARGENIO: Per day.

MR. DETULO: What did I say, per hour? It's 20, 24 trucks per day. I think I was thinking I was going over the Newburgh-Beacon Bridge but again it's per day.

MR. ARGENIO: Are you eligible for Empire Zone status?

MR. DETULO: We may be, this is not in the Empire Zone but it would have to be ruled as a regional significance. But so other than that, I will let Andrew talk about some of the engineering issues and then of course Phil will talk about our ideas as it relates to mitigating the small traffic impact this facility will have. Andrew?

MR. FETHERSTON: This site is located at the farthest dead-end of Silver Stream Road, I'm calling this Square Hill because on the tax maps for the town this is shown as being Square Hill, this is shown as being Silver Stream, different maps show different things, Square Hill is another dead-end closer to Stewart Airport entrance by the trailer park. At one time it may have been connected but that's the road naming from the tax maps. It's a 15 1/2 acre piece of property, we have located approximately two acres of wetlands in the northeast corner adjacent to the Thruway. We did the full topo and boundary survey of this piece. We also did a Phase 1 environmental assessment, found nothing, the site is completely wooded right now. There are two monitoring wells at this location, we believe that they were installed for the landfill, so we had a note on our plans once we noticed them we put a note on the plan that we'd provide the town an easement. We're proposing as Mike said 100,000 square foot building, it's about 250 foot wide by 400 feet long, it's 5,000 square foot of office, I believe it's about 60,000 square foot for storage and the remainder would be the manufacturing use. We have 12 bays for loading for

trucks, six storage slots for the trailers, we were proposing, we were trying to work out a one way circulation around the site, wasn't quite working so what we have is this road is two way coming in so that the tractor trailers can come in and exit through that short segment. The remainder we had two way for the circulation for the passenger vehicles and then the exiting road we had as a one-way road. Anything that's up close to the building we had 30 foot wide.

MR. ARGENIO: Mr. Featherston, you have been talking about your access being off Silver Stream?

MR. FETHERSTON: Square Hill Road, Square Hill Road.

MR. ARGENIO: Do we talk about access off the access being off of Silver Stream? I thought that's what we had discussed.

MR. FETHERSTON: It is not, we were seeking to provide access that doesn't look like it's feasible.

MR. ARGENIO: We did talk about that?

MR. FETHERSTON: Yes, we did, yes. We're proposing we when we did the survey we did note that there was an easement from the town and a sewer manhole right up at the top of the hill here so we have looks like we're going to have gravity sewer right to this point, we'll also utilize that easement to bring in our water service for a fire and potable water. You're in the Planned Industrial Zone right adjacent to the Thruway, of course this parcel, we did as I said, the topo, the boundary the wetlands Phase 1 environmental, we went out and met the New Windsor water staff and we ran the hydro-flow test at this location, also got favorable results. We also did some deep soil tests in the area to see if we were going to hit bedrock, we did not encounter bedrock. I'd like to have Phil Greely take you through the traffic portion. Phil?



MR. GREELY: Phil Greely, John Collins Engineers, we're the traffic consultants. Just briefly we have looked at traffic volumes across--

MR. ARGENIO: Phil, let me interrupt for one second, I'm sorry. Just so you guys know, I just want to ask one thing, traffic I want to focus on but Mr. Featherston, is there a Phase 2 to the project? Is there more buildings going up or just the one?

MR. FETHERSTON: There's a, the client has what wording did you use?

MR. PEREZ: Mike Perez. Jerry, yeah, there's a second phase that we're hoping for, there's another 25 acre parcel we're contract vendee on now and we're trying to secure a way in through the old Square Hill Road connection.

MR. ARGENIO: How many feet is that?

MR. PEREZ: 1,700.

MR. ARGENIO: Your facility?

MR. PEREZ: You mean on the 25 acres we're looking for ideally three 50,000 square foot buildings.

MR. ARGENIO: Just for the benefit of the other members, when these folks came in with an interest in our town, one of the things that I had said to them and the Supervisor said to them one of the most critical issues in this corridor is traffic and I don't need a traffic study to know that there's an issue going west on 207, you need to mitigate it, you need to mitigate the traffic and that's why Phil Greely from John Collins is here so that's the genesis, that's why he's here so early so you guys know. Go ahead.

MR. SCHEIBLE: It's a bad situation already.

MR. GREELY: Just so everybody knows, 207, 300, Thruway, the underpass, this is Silver Stream Road and this is the site that we're focused on that Andrew was describing. What we did was we looked at, you know, existing conditions traffic, just order of magnitude in the morning peak hour you have between 12 and 1,300 vehicles an hour on this stretch of Route 207, afternoon rush hour 17, 1,800 vehicles an hour on that section, everybody knows the intersection with 300 there's queuing that extends back passed this intersection, you also have in this immediate vicinity is Morse Hill Road, lot of turning movements there, a lot of commuter traffic that utilizes that. So we really focused in on this part of the corridor and this is a blowup of that area, again, I changed the orientation but again Route 300, 207, Silver Stream Road, Moores Hill Road. The existing culvert under 207 is roughly about here. What we did was we looked at, you know, the existing traffic conditions first just to see how could we deal with existing problems both queuing, storage lanes, and how the signal functions here today. What we did was we looked at the storage that exists today and basically what you see on this drawing the actual left turn lane for people turning left onto Route 300 off 207 ends just passed the underpass of the Thruway.

MR. ARGENIO: I thought you were going to say look, there's no cars in this picture, we shouldn't have to do anything.

MR. GREELY: We took this on a Saturday but anyway, it's good because we can kind of see where the striping is everything is on the roadway. So right now this area is striped, you have one lane in each direction, this is where you pick up the left turn lane turning onto Route 300 off 207, you do have a shoulder area on either side, the shoulder on the south side of 207 is

relatively narrow, north side a little bit wider but you really only have one travel lane in each direction here. You have a heavy left turn onto Moores Hill Road especially in the afternoon, commuters coming back and forth, in the morning it's right turns out, afternoon it's left turns in. So we have some existing conditions we're dealing with that are problematic, lack of storage. And so the first thing we looked at was number one is an idea of what we could do to, what we did was look at the development of this hundred thousand square foot building but there's a potential for other buildings but we did look at this hundred plus another 50,000 square foot building because that looks like it could come along and we wanted to come up with something that could improve the situation but also the improvements that I'm going to describe start becoming very costly, we know they have to be done but we're looking to see what kind of traffic we could accommodate so what we actually looked at 150,000 square feet of the similar type of use and the generation that would be there and it's not 24 trucks in an hour so--

MR. ARGENIO: Draw a line on that plan where the queuing ends as it exists today.

MR. GREELY: Current conditions the storage lane ends right in this area.

MR. ARGENIO: So you're going to about double it?

MR. GREELY: We're going to double the length of the lane and what happens is what we have shown here is this is where we would actually have to rip out the shoulder on the north side, put it in as full depth pavement but in addition widen on the north side of 207 to get any width to accommodate three lanes plus replacing the shoulder. We're in the process of verifying right at the exact right-of-way conditions here but what we have done in terms of this layout is

on the south side of the street as you saw in the aerial photograph there's not a lot of room even if there was right-of-way, the parking lot is pretty close to the travel area there. So we have focused the widening on the north side, the left turn lane ends here today would actually extend through this entire section.

MR. ARGENIO: So here, I want to interrupt you, here's what I want you guys to do, here's my message. When you drive through there over the next week, the next month, the next two months, think about how twice as long a queuing lane will affect it. That's what I want you to think about.

MR. SCHEIBLE: Just like most of the people in the board we have been over there from 6 o'clock in the morning till 10 o'clock at night and you get your time period especially between 4 and 5 you're just from either direction you haven't got a chance.

MR. VAN LEEUWEN: Even at noontime.

MR. ARGENIO: I don't want to beat it because we're going to see it quite a few times but think about going through there westbound how would it be if we had a queuing lane that's twice as long and eastbound, I'm sorry, and in addition to that westbound now we'll have a queuing lane at Moores Hill Road, just think about that, just about that. Go ahead, Phil.

MR. GREELY: The other component of this and the area that is highlighted in yellow is that once this widening is done we'd have to overlay that section of roadway so that we have new pavement markings and it's well-defined and it repairs the existing pavement so the actual new pavement is this gray area there's an area just south of that that would be taken out as shoulder and put in as full depth pavement but this is the overlay is all the yellow so we have a nice clean

section of paving in that area. The other two issues that we focused on is the turning radii on and off Silver Stream Road would have to be upgraded. What you see here so you have a much better turn off 207 and getting back onto 207. We also are looking at possibly getting some widening on Silver Stream approaching 207 when we look at the second building, we said it looks like it might be worthwhile we get up to 150,000 square feet to try and get some widening in here to get two lanes.

MR. ARGENIO: I'm going to--

MR. VAN LEEUWEN: I think the town owns most of that property right on 207 and Silver Stream the corner.

MR. ARGENIO: Even I think you should think about this, Phil, because you're doing right-of-way taking and such, et cetera, et cetera ad nauseum at this point in time I think you should seriously consider the movement on Silver Stream to 207 putting two 12 foot lanes to come onto 207. I'm not saying you have to do it but I'm saying take a look at that because those residents are going to want to--

MR. FETHERSTON: East and west?

MR. ARGENIO: They tend to have a problem to begin with because those folks are on the edge of the PI zone and somebody's got to live on the edge of the zone line and they do. So when all this industry happens literally across the street from their house, Mike, they get pissed, I mean, they get upset, so I want to try to accommodate them as best we possibly.

MR. GREELY: Right now we're showing one wide lane in each direction but we're looking at carrying two lanes in this area and again we're looking at the right-of-ways so it's once we're here it makes sense to do it right.

MR. ARGENIO: If you're going to do a taking, do the whole thing.

MR. GREELY: Separate right, separate left exiting from Silver Stream.

MR. DETULO: The 20 to 24 trucks per day they would all be making right-hand turns cause they're serving an existing company that's already located at Stewart International Airport.

MR. ARGENIO: Understood.

MR. GREELY: So in addition to the intersection improvements and opening that up for two lanes there's some sections along Silver Stream Road that we did work with the town, just some upgrades, there's an area where the pavement is deteriorated and those are other kind of minor things in the whole scheme of things but that would be part of this.

MR. ARGENIO: Mike, you said when your trucks come out of Silver Stream Road they'll be making a right, your plan doesn't show an access to Silver Stream Road.

MR. GREELY: He's saying once they're on Silver Stream Road approaching 207 coming out of the facility.

MR. ARGENIO: Plan doesn't show a driveway.

MR. EDSALL: For clarification what Andy's showing as Square Hill as far as the Town of New Windsor is concerned for the state highway log is Silver Stream, what the old tax maps show disregard, it's the top of the road.

MR. ARGENIO: That's why I asked that question before we talked about Silver Stream Road and I show an easement for a water main that's not what we talked

about which I was wondering what Phil was going to put up on the easel.

MR. GREELY: That's where they end up, that's where they come up.

MR. ARGENIO: Got it.

MR. GREELY: The last two pieces as I started referring some minor upgrades along Silver Stream itself which we'll have to work with the town but with the queuing situation we looked at the traffic signal at Route 300 and some timing modifications, we have had discussions with DOT associated with that. This should clean up this whole area because not only do you have this lack of stacking here but once you get heavy lefts onto Moores Hill some people will try to bypass on the shoulder lane but you reach a point where that whole thing breaks down in the afternoon.

MR. VAN LEEUWEN: Surprised the state hasn't adjusted that light yet, as long as I've live out that way, all right, it's always a problem, it's a problem in the morning, it's a problem in the afternoon, lunchtime and problem at night 5 o'clock.

MR. GREELY: One of the things the state is doing now they're replacing a lot of their controllers, they're coming up with new controllers but in advance of that we have talked this to them about modifying this and what happens unless somebody brings it to their attention they will not revise it because just in Orange County alone we have over 200 signals and in the region that this DOT Region 8 covers there's 1,200 and some odd traffic signals. So it's really nobody has really brought it to their attention. As soon as we talked about it, they agreed.

MR. VAN LEEUWEN: They have people riding around in vehicles checking that, they must be sound asleep.

MR. GREELY: Only if it's malfunctioning.

MR. ARGENIO: Let me jump in here, Mark has a comment here where it says applicant requests review for sketch site plan approval. We don't give such a thing. The purpose tonight as I said earlier to take this plan, introduce it to the members. We'll certainly see this a few more times, but what's most important to me is that you guys see what we're thinking about for this traffic issue and that's my deal.

MR. SCHEIBLE: I only have one thing, you mentioned it and I'm very inquisitive now over what you just mentioned a couple minutes previous that you're going to be affiliated with another manufacturing plant in the Stewart property. What are we manufacturing here?

MR. MOYA: Supply chain technologies.

MR. SCHEIBLE: The only reason I was inquisitive over it was I'm thinking about the beer can plant and the noise, the noise level. That's about it.

MR. ARGENIO: Is that problematic?

MR. SCHEIBLE: No, I don't think the noise level is. But what is it?

MR. MOYA: It's integration of asset management systems with access control and surveillance systems, so there's assembly of electronics and a lot of software development.

MR. GALLAGHER: Hours of operation and when you say 24 trucks a day, is that scattered throughout the day or 20 in the morning?

MR. MOYA: Mostly during the day.



MR. GALLAGHER: What's the hours of operation?

MR. MOYA: Seven to seven.

MR. VAN LEEUWEN: Whereabouts is your manufacturing plant now and how many employees do you have?

MR. MOYA: They were located in Edison, New Jersey.

MR. VAN LEEUWEN: How many employees do you have now?

MR. MOYA: Forty-five.

MR. VAN LEEUWEN: How many are you going to have here, 50?

MR. MOYA: Yes.

MR. VAN LEEUWEN: Thank you.

MR. ARGENIO: I don't know what more you want from us.

MR. SCHEIBLE: I'd love to see business come into New Windsor, don't get me wrong, I'm just--

MR. ARGENIO: Commercial rateables is a good thing.

MR. SCHEIBLE: That's what we love to see.

MR. ARGENIO: I don't know what you're looking for Mike and Mr. Featherston, I think you're getting favorable feedback from us. As we discussed, I mean, we certainly relish that traffic improvement that you're proposing there and appreciate it and we'll work with you whatever way we can.

MR. GREELY: One thing we'd like to request is that as we move forward we're going to advance these plans to the next level, right-of-ways, et cetera, that in asking the state to give us a quick response on this

from help from the town.

MR. ARGENIO: What do you want?

MR. GREELY: Once we're ready to submit plans something from either the chairman or from Mark.

MR. ARGENIO: What's something?

MR. GREELY: A letter or a call phone call maybe is all that we need.

MR. ARGENIO: Saying what? You're killing me here. I'm trying to extract this from you. I feel like I'm talking to an attorney. What do you want?

MR. GREELY: To meet with us and give us an expeditious review, move us to the top of the pile.

MR. ARGENIO: Mark, I think Mark has had discussions with higher level people in Poughkeepsie about the problem that our municipality has with this intersection and it's been there for a while and we need it remedied. So I would think, I would hope that Mark on some level or another could reactivate that discussion dialogue and help you in any fashion that he can. Can you do that? Is that reasonable?

MR. EDSALL: Absolutely. As you might say, my fingerprints are all over this layout already because Phil and I have had many discussions and in fact it's been extended down so that left turn ability onto Moores Hill will correct other problems, so they have been extremely cooperative. I have already talked to the Town Supervisor, I have already talked to Glen Bouche from DOT, I've talked to Senator Larkin this passed week, Bill and I have already met on it because again these gentlemen--

MR. ARGENIO: The suns are aligned with the planets,

October 24, 2007

42

all you have to do is stand up and do what you need to do.

MR. EDSALL: In my discussions with DOT they said once it's a real application in front of the planning board, set up a meeting and they're ready to sit down and start right away discussing the improvements.

MR. ARGENIO: Is that fair enough guys?

MR. EDSALL: So I'll, with your direction, Mr. Chairman, I'll set up that meeting.

MR. ARGENIO: You have that direction, Mr. Engineer.

DISCUSSION

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B-CLEAN\_LAUNDRY\_-\_231\_WALSH\_AVENUE

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MR. ARGENIO: I'm going to say some comments about this. Mark is going to follow it up.

MR. EDSALL: There's a copy, Mr. Chairman, on the back of everyone's packets with the picture in the very back of your packet.

MR. ARGENIO: B-Clean wants to have a little \$2.00 concession in their building, they're over on Walsh Road near Faricella's Market. The elderly woman who folds the clothes for a living and they make 80 cents a pound or whatever it is they make, they want to have a place to buy a soda, get a bag of chips or get a snack of whatever they need, it's to service their own clients, excuse me, B-Clean clients. And Mike Babcock doesn't take exception to it and his comment to me was that, his comment to me was that I want to bring it to the Planning Board's attention so you guys can give me direction on how to handle it. My response was Mike, we have too many other fish to fry than to get involved in this but we'll bring it to the board. If anybody feels differently certainly we'll let you know. Henry, do you take exception to what I said?

MR. SCHEIBLE: I take no exception, I can't see, they're probably going to put vending machines?

MR. ARGENIO: No, they want to be able to sell like if they have a rack with some bags of Doritos in it and maybe a soda fountain that they can dispense a cup of soda for 48 cents, that type of thing is the impression I get.

MR. VAN LEEUWEN: All inside?

MR. ARGENIO: Inside.

MR. SCHEIBLE: It's not going to rearrange the whole situation, I can't see anything wrong.

MR. BROWN: I leave it in Mike's hands.

MR. GALLAGHER: No.

MR. EDSALL: The only comments Mike and I talked about we tell them that they cannot put a retail sign outside.

MR. ARGENIO: Correct, Mike and I talked about that.

MR. EDSALL: We don't want this to get a foothold as a retail establishment, this is incidental to the laundromat.

MR. ARGENIO: For their customers.

MR. VAN LEEUWEN: You've got Faricella's right next door, that would hurt them, who wants to do that.

MR. ARGENIO: I agree. Mark, will you speak to Mike about that? It's in the minutes.

MR. EDSALL: I will.

KNOX\_VILLAGE\_SENIOR\_PROJECT\_-\_RECOMMENDATION

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Michele Babcock, Esq. appeared before the board for this discussion.

MR. ARGENIO: Last thing is Knox Village recommendation. This falls under the senior housing regulations and we have talked about them quite a few times, this plan was distributed to the other members couple weeks ago. Mark, can you share some thoughts with us on it and then I'd like you to follow Dominic please?

MR. EDSALL: First as Mr. Loeb taught me a long time ago when you have something positive to say go ahead and say it. I have to tell the applicant I appreciate the fact that they put a complete package together in good form early because we have been having problems with people putting together the initial applications so there was enough for the board to consider. So it was a presentable set and it's my opinion that it is complete to the standpoint that it is suitable for the board to make a recommendation and the Town Board to consider suggesting that it go through the planning board process. It fits the site and it's a difficult site, the provisions in the code were written for the purpose of providing flexibility for narrow, long lots.

MR. ARGENIO: This is the annex site?

MR. EDSALL: This was annexed from the Town of Cornwall.

MR. ARGENIO: In the back of Knox Village.

MR. EDSALL: And at first blush again we don't have a full site plan, it looks like they worked it out very well. I will say no more.

MR. ARGENIO: Dominic?

MR. CORDISCO: Well, as the board may recall, this is the second project that's come before it under the new senior housing law. The first one was for Warwick properties for the site in Vails Gate. And really for the board to consider tonight is two things, one whether or not the board is inclined to make a positive recommendation to the Town Board. The Town Board is looking for the Planning Board's input as to whether or not this site is suitable for a special use permit for senior housing.

MR. ARGENIO: I think we have talked about that general area being a good location for senior housing.

MR. CORDISCO: That's correct. And the procedure that we followed last time is that the board took a vote and authorized me to prepare a letter which I sent to the Town Board which contained the Planning Board's recommendation to that effect. That would be one step. The second step would be in regards to SEQRA.

MR. ARGENIO: Can I just summarize that? So the first step is that we make a recommendation to the Town Board that the site location is suitable for senior housing, correct?

MR. CORDISCO: Correct.

MR. ARGENIO: Next thing?

MR. CORDISCO: Next thing is if the applicant agrees and they're so inclined to start the SEQRA process just like with the Warwick properties application the planning board was lead agency, the planning board of course has more expertise in reviewing the environmental impacts for a site specific plan which of course will be coming before the board and there are other interested and involved agencies, such as the Town Board and various other state agencies I'm sure

that are going to have some jurisdiction or say in this process. And you can start that by circulating a notice that you declare your intent to be lead agency.

MR. EDSALL: We don't have an application or do we, Michele, formally for site plan approval yet?

MS. BABCOCK: No, you do not.

MR. EDSALL: As soon as we receive the planning board application once they're kind of given the go-ahead from the Town Board we would start that SEQRA process.

MR. ARGENIO: So is it the case that we don't, we're not addressing the second issue tonight?

MR. EDSALL: I don't think you can because we don't have the application.

MR. CORDISCO: We don't have the application, I suppose if you wanted to authorize it subject to receipt of the application and the EAF but we'd have to review it as well.

MR. EDSALL: It doesn't have to be tonight.

MR. ARGENIO: I'd like your idea, Mr. Edsall.

MR. EDSALL: Only because the process was set up so that there's a gate more or less that says that unless the Town Board and the planning board believe this is an appropriate location and the site meets the senior housing regulations, don't bother effectively making a planning board application. Now that you've reached the point where I think both boards are likely to say this looks very positive then we'll look forward to seeing you.

MR. ARGENIO: All right, we have talked about this geography of this area and the availability of services



for seniors in this area, certainly we have talked about it I think it's probably--

MR. VAN LEEUWEN: Is this the third one? We've got another one coming up.

MR. ARGENIO: This is the second live one, one's not alive yet but senior housing is certainly an issue in this town and as I said, we have talked about this, the geography of this location, this general area as being probably a good idea to locate seniors because of the services. I will work my way around the room and I'm going to go this way this time, needs to be in the form of a vote and a motion, is that right?

MR. CORDISCO: Yes, a motion and a vote that would authorize me to prepare the board's recommendations.

MR. ARGENIO: Henry Scheible put your thoughts out there and we'll formalize it.

MR. SCHEIBLE: Well, what we have seen here so far and we discussed it, I sat over there, listened to you guys, sat up here, the location so far as accessibility for the seniors without having to walk too far, take taxis, worry about the bus transportation, I think it's a situation that's worthy of it right there.

MR. BROWN: It falls into the criteria that we're looking for.

MR. GALLAGHER: I agree.

MR. VAN LEEUWEN: I agree.

MR. ARGENIO: I agree too. I'll accept a motion that we offer a positive recommendation to the Town Board that this location is suitable for senior housing.

MR. VAN LEEUWEN: So moved.

MR. GALLAGHER: Second it.

MR. ARGENIO: Motion has been made and seconded. Roll call.

ROLL CALL

MR. SCHEIBLE	AYE
MR. BROWN	AYE
MR. GALLAGHER	AYE
MR. VAN LEEUWEN	AYE
MR. ARGENIO	AYE

MR. ARGENIO: Now the first thing is done. I would like to visit the second thing when we need to visit it. Now I certainly don't want to jam up the applicant but the feeling I'm getting from you Mark is that we're not jamming up the applicant.

MR. EDSALL: It doesn't do any benefit to send it prematurely, as soon as we have a full application we can send it all out.

MR. CORDISCO: Full application should include a long form EAF and since it's a fairly detailed document, it would be premature. And it's hard to say that you're authorizing and, I mean, I don't want to slow anybody down but it's hard to say for the board that you're authorizing circulation of lead agency based on long form EAF that you haven't even seen yet.

MR. EDSALL: It's part of the application but you haven't reviewed it yet.

MS. BABCOCK: We have submitted it with this application to the Town Board.

MR. ARGENIO: It's not been reviewed yet.

October 24, 2007

50

MR. EDSALL: That's correct and the difficulty there's no project number assigned, there's no file at the planning board yet so the bottom line is it's probably a one meeting delay.

MR. CORDISCO: It's as simple as filling an application out for site plan approval.

MR. ARGENIO: No sweat, it's done, it's over with. Anything else? Thank you for coming in.

MS. BABCOCK: Thank you.

SECTION\_I

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MR. ARGENIO: Everybody has a document in front of them it says the "I DOC" on top of it, everybody have that? The "I DOC" is Section I of the senior regulations, I'm going to go fast with this guys but I'm going to try to be concise and if I do miss something ask me the question, interrupt me actually if I miss something. Relative to the application for the Warwick senior housing behind Rite-Aid we're all looking favorably on that and we're excited about that project to go forward and they have things they need to do. One of the things they need to do is get a set of variances from the zoning board and they came to this board and they said we need some variances, we said okay, what variances do you need and they said we need variance A, B and C, hypothetical letters, A, B, C and D, and we said okay, what are they, well, they're this, they're that and the other thing and then the planning board said Mark, if I misstep, stop me please.

MR. EDSALL: Yes.

MR. ARGENIO: And the planning board said okay we're going to give you a favorable spin and a favorable response on you getting Variance A, B and C because they make sense and this project is a good idea, great, no problem. Subsequent to that, the attorney or the owner or the applicant I don't know who decided well they need variance F as well.

MR. EDSALL: I had that in my comments, that was the one, F is the one that has to do with the setback from paving in parking lots.

MR. ARGENIO: I didn't mean the letter literally, I just mean another variance.

MR. EDSALL: There's 4F something, that's one of the ones we added for reference.

MR. ARGENTIO: Hypothetical letter letter G or letter K, they want another variance, so it's been brought to my attention that this variance is a variance from Section I in the senior regulations. You folks, you kind folks have a copy of Section I of the senior regulations. I will point out to you that one of the variances that they ask for was a variance from Section 300-18-H subsection 7, subsection A, paragraph 4, what's important, what's important is not what that says here, it is in case anybody wants to see it, it's not important what that says. What is important is that they delved into a level of specificity that's way beyond what I would have expected for them to ask for that in Section H, there's the H Section and then to ask for a wholesale relief of Section I in the senior housing regulations which essentially is the sum and substance of the regulations and as I said you guys have a copy of Section I and I'm going to quickly go through a few things that are in Section I for which they're looking for relief from. Section I contains specs about having a laundry, having indoor community space, having appropriate 24 hour maintenance, all windows and doors for common areas and community buildings shall have screens, there will be handicapped adaptability, doorways will be a minimum of three feet wide, lever type doors, non-skid floors, non-scalding faucets, air conditioning in each dwelling unit, shower stalls that have a seat or bench and on and on and on. Here is my point and I will get right to the point. And I am going to poll the board when I'm done, I'm going to tell you how I feel then I'm going to poll the board. In my estimation for the applicant to look for wholesale relief from Section I is unfair for him to put us in that position and it's unfair to the seniors and it's unfair to the writers of the regulations who spent a lot of time putting this senior thing together. Section I is as I said earlier the essence or part of the essence of the regulations. However, having said that, if there's something in Section I that's

problematic for the applicant, pick one I don't know which one it could be, I hope it's not non-scaulding faucets, I hope it's not seats in showers, I hope it's not grab bars near toilets. If there's something in Section I that's problematic, maybe there are state requirements, I know he's getting funding, maybe there are state requirements where he cannot comply to some portion of Section I and still meet state requirements to get his funding, you know what that is, okay, we're not rigid but you know what they need to do, the message I want to put out there with you guys' permission is that if you need relief from a section, a portion of Section I, you need to tell us what area and we'll take a look.

MR. VAN LEEUWEN: Which they're doing.

MR. ARGENIO: I'm told the same thing but I want to bring the members up to speed so the message I put out there was that we don't have a problem with looking at it and variances are applied for, they're received and they're declined all the time. We're looking favorably upon this project. We've given it the most favorable spin we can so far and I will assume that we continue to give it the favorable spin but we have compromised ourselves if we offer wholesale relief from a substantial portion of the code and that's my opinion.

MR. VAN LEEUWEN: Zoning boards will not do that.

MR. ARGENIO: Do you substantially agree with me?

MR. SCHEIBLE: Whole thing comes down these three major words, quality of life, and that's what that adds.

MR. ARGENIO: You got it. Howard, you agree with me?

MR. BROWN: Yes.

MR. GALLAGHER: Absolutely, I think a lot of these are

necessities for a senior development.

MR. ARGENIO: Yeah, hello. Henry, you substantially agree with me?

MR. VAN LEEUWEN: Yes.

MR. ARGENIO: Just for you guys' edification, this word has gotten back to the zoning board and there's been quite a bit of discussions, quite a few discussions of late about this whole thing and the zoning board also agrees with our conclusion that we have come up with so the word is Mark, Dominic, Mike Blythe you're here too, no problem with some type of relief from something that's problematic as long as it's reasonable but a wholesale waiver of the I Section of the code is not going to happen.

MR. BLYTHE: I can tell you that--

MR. ARGENIO: The planning board will not give a favorable recommendation on that.

MR. BLYTHE: And understood and agreed and let me just represent that I have had a discussion with the attorney for the ZBA, they agree completely with you gentlemen, they certainly do. And what I believe they're going to require of the applicant is to sit down and go section by section of Subdivision I and present to you what the state standard is and what they propose, which ones they need relief from and why.

MR. ARGENIO: You know, Mike, that's fine, no problem.

MR. BLYTHE: That was the position that Andy Krieger took with the ZBA, we talked about it, completely agree and that just agrees with exactly the position that you do.

MR. ARGENIO: These people have shown themselves to be

reasonable people, the engineer different issue, he needed a little bit of a kick and he's gotten that and he seems to be moving along nicely.

MR. VAN LEEUWEN: He got more than a kick.

MR. ARGENIO: I'm sure they'll do what they say they're going to do but that's what they need to do. I'll accept a motion to adjourn.

MR. VAN LEEUWEN: So moved.

MR. GALLAGHER: Second it.

ROLL CALL

MR. SCHEIBLE	AYE
MR. BROWN	AYE
MR. GALLAGHER	AYE
MR. VAN LEEUWEN	AYE
MR. ARGENIO	AYE

Respectfully Submitted By:

Frances Roth  
Stenographer